

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48388 of 2023

Arising Out of PS. Case No.-662 Year-2020 Thana- SUGAULI District- East Champaran

BITU YADAV @ BITTU KUMAR @ BITTU KUMAR YADAV S/O Vijay
Yadav R/O Village- Yadavpur, P.S- Harsidhi, Distt.- E. Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2, Advocate
For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-08-2023 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 395, 397 of the Indian Penal Code.

3. As per the prosecution case, on 29.12.2020, six unknown miscreants overtook the truck loaded with 500 bags of sugar and assaulted the driver (informant) and thereafter, they snatched keys of the truck along with cash of Rs. 60,000/- from the informant and fled away with the alleged truck loaded with sugar.

4. It is submitted that the petitioner is not named in the F.I.R. The name of the petitioner transpired during the course of investigation on the basis of confessional statement of other co-accused persons. Alleged loaded truck was recovered



near Jitaura Chowk on the road side and unloaded bags of sugar was recovered from the godown of one Madan Prasad. So far as this petitioner is concerned, there is no material to show his complicity in the alleged occurrence . Similarly situated co-accused persons have already granted bail by this Court vide order dated 06.07.2022 in Cr. Misc. No. 65425 of 2021 . Petitioner claims clean antecedent.

5 . Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Mothiar East Champaran at Motihari, in connection with Sugauli P.S. Case No. 662 of 2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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